

**BEFORE THE
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**

In the Matter of:

YARDS TRUCKING, INC.,

Respondent.

**Docket No. FMCSA-2008-0011¹
(Midwestern Service Center)**

ORDER TERMINATING PROCEEDING AND CLOSING DOCKET

On July 30, 2007, the Illinois Division Administrator, Federal Motor Carrier Safety Administration (FMCSA) served a Notice of Claim (NOC) on Respondent proposing a civil penalty of \$61,780 for four violations of 49 CFR 391.45(b)(1)/391.11(a), using a driver not medically examined and certified during the preceding 24 months; and 30 violations of 49 CFR 395.8(e), false reports of records of duty status. On August 17, 2007, Respondent timely replied to the NOC and requested an informal hearing. The proceeding was assigned to a hearing officer on April 4, 2008, but no further activity in the case has occurred since that time.

On March 31, 2010, the Field Administrator for FMCSA's Midwestern Service Center (Claimant) served a Motion to Close Docket because he believes that Respondent is more than likely out of business and no longer functioning.² Claimant requested that the docket be closed without prejudice, with leave for Claimant to re-serve the NOC in

¹ The prior case number was IL-2007-0345-US0552.

² Respondent's US DOT Number is inactive and the Illinois Secretary of State reported that Respondent's corporation charter was involuntarily dissolved on March 3, 2009.

the event there is sufficient evidence that Respondent has “reincarnated and reinvented itself under a new name.”

Claimant’s motion is granted. This proceeding is terminated without prejudice and the docket is closed.

It Is So Ordered.



Rose A. McMurray
Assistant Administrator
Federal Motor Carrier Safety Administration

4.15.10
Date

CERTIFICATE OF SERVICE

This is to certify that on this 16 day of April, 2010, the undersigned mailed or delivered, as specified, the designated number of copies of the foregoing document to the persons listed below.

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